

Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 2.315 ACRES OF LAND SITUATED WITHIN THE DAVID ANDERSON SURVEY, ABSTRACT NO. 4, AND BEING A PORTION OF A CALLED 7.986 ACRE TRACT OF LAND AS DESCRIBED IN THE DEED TO LANDMARK EQUITIES, L.L.C. RECORDED IN VOLUME 2296, PAGE 505 OF THE DEED RECORDS OF JOHNSON COUNTY, AND FURTHER DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION, FROM “PD” PLANNED DEVELOPMENT DISTRICT (VILLAGE CREEK NORTH) TO “SP” SITE PLAN DISTRICT ALLOWING “AUTO LAUNDRY/CARWASH” WITH AN UNDERLYING ZONING DISTRICT OF “GR” GENERAL RETAIL; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the “Zoning Ordinance and Map”); and

WHEREAS, an application for a zoning change was filed by **Stephen Eisner** on **April 13, 2026**, under **Case Number ZC26-004**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas recommended approval **4 to 1** to the City Council of Burleson, Texas, that the hereinafter described property be rezoned; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **Planned Development (PD)** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

Section 1
MAP AND ZONING
AMENDMENT

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described on the legal description attached as **Exhibit A**, by changing the zoning of said property from PD, Planned Development district to SP, Site Plan District for an “Auto Laundry/Carwash” with an underlying base zoning district of GR, General Retail. The site shall be developed in accordance with the attached site plan (Exhibit B); or otherwise developed or redeveloped in accordance with the land uses and regulations of the GR, General Retail district.

Section 2

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances.

Section 3.

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

Section 4.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 5.

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

Section 6.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7.

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

Section 8.

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct

offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

Section 9.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED:

First and Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

BEING a 2.315 acre (100,838 square foot) tract of land situated in the David Anderson Survey, Abstract No. 4, City of Burleson, Johnson County, Texas, and being a portion of a called 7.986 acre tract of land described in the Warranty Deed with Vendor's Lien to Landmark Equities, L.L.C. recorded in Volume 2296, Page 505 of the Official Public Records of Johnson County, Texas, said 2.315 acre (100,838 square foot) tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with cap (illegible) found for the northeast corner of Lot 1, Block 1 of QT 1872 Addition, an addition to the City of Burleson, Johnson County, Texas recorded in Document No. 2023-161 of said Official Public Records of Johnson County, Texas, said 5/8-inch iron rod with cap (illegible) also being in the northwest right-of-way line of Village Creek Parkway (Document No. 2015-10956) (variable width right-of-way);
THENCE

North 80 degrees 37 minutes 16 seconds West, with the north line of said Lot 1, Block 1 of QT 1872 Addition, passing at a distance of 291.79 feet a 5/8-inch iron rod with cap stamped "SCI" found for the common northwest corner of said Lot 1, Block 1 of QT 1872 Addition and the northeast corner of Lot 1, Block 2 of Burleson Crossing, an addition to the City of Burleson, Johnson County, Texas recorded in Volume 9, Page 524 of the Plat Records of Johnson County, Texas, in all, a distance of 433.35 feet to a 1/2-inch iron rod found for the northwest corner of said Lot 1 of Burleson Crossing, said 1/2-inch iron rod also being in the common west line of said 7.986 acre tract of land and the east line of Lot 1, Block 2 of Wilbanks Park, an addition to the City of Burleson, Johnson County, Texas recorded in Volume 6, Page 149 of said Plat Records of Johnson County, Texas;
THENCE

North 09 degrees 17 minutes 29 seconds East, with the common west line of said 7.986 acre tract of land and the east line of said Lot 1, Block 2 of Wilbanks Park, a distance of 206.77 to a point for corner, said point also being in the south right-of-way line of said Village Creek Parkway;
THENCE

North 88 degrees 47 minutes 14 seconds East, with the south right-of-way line of said Village Creek Parkway, a distance of 302.78 feet to a point for the beginning of a non-tangent curve to the right with a radius of 80.00 feet, a central angle of 60 degrees 27 minutes 49 seconds, and a chord that bears South 60 degrees 58 minutes 55 seconds East, a chord distance of 80.56 feet;
THENCE

Southeasterly, with the southwesterly right-of-way line of said Village Creek Parkway and with said non-tangent curve to the right, an arc length of 84.42 feet to a point for the beginning of a compound curve to the right with a radius of 277.00 feet, a central angle of 41 degrees 48 minutes 26 seconds, and a chord that bears South 09 degrees 50 minutes

51 seconds East, a chord distance of 197.67 feet;

THENCE

Southerly, with the westerly right-of-way line of said Village Creek Parkway and with said non-tangent curve to the right, an arc length of 202.12 feet to a point for the beginning of a compound curve to the right with a radius of 527.50 feet, a central angle of 01 degree 05 minutes 53 seconds, and a chord that bears South 11 degrees 44 minutes 28 seconds West, a chord distance of 10.11 feet;

THENCE

Southerly, with the westerly right-of-way line of said Village Creek Parkway and with said compound curve to the right, an arc length of 10.11 feet to a point for the beginning of a compound curve to the right with a radius of 287.00 feet, a central angle of 07 degrees 45 minutes 51 seconds, and a chord that bears South 16 degrees 02 minutes 04 seconds West, a chord distance of 38.86 feet;

THENCE

Southerly, with the westerly right-of-way line of said Village Creek Parkway and with said compound curve to the right, an arc length of 38.89 feet to the POINT OF BEGINNING and containing 100,838 square feet or 2.315 acres of land.

EXHIBIT “B”
Auto Laundry/Carwash Site Plan

